

CUSTOMER NO: 36038  
In the United States Patent & Trademark Office

Docket No. PARSE-C4

Applicants: M. Seul et al.

Examiner: P. Do

Art Unit: 1641

Serial No.: 10/624,020

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For: Chips in Fluid Confinement Regions

## Reply Brief on Appeal

Dear Sir:

In response to the Examiner's Answer, please consider this Reply Brief. The Examiner has apparently withdrawn the rejections of all pending claims (47, 49, 50 and 55) under 35 USC § 112, para. 1, and the rejections of all pending claims under 35 USC § 112, para. 2, although the Answer does not specify this. Apparently, the only remaining rejection is of all pending claims under 35 USC § 103(a) over Rava et al. in view of Shivashankar et al.

The only real issue remaining in this case is whether the following recitations in claim 47 mean that the substrate surface is planar (i.e., there are no "raised" hydrophobic regions on the surface as in Rava et al.):

A ***substantially planar substrate*** and a chip ***disposed thereon*** ... comprising:

several discrete hydrophilic regions ***which are part of a planar surface of the substrate***, the hydrophilic regions being separated from other hydrophilic regions by a hydrophobic region ***which is part of said planar surface***, wherein the hydrophilic regions are designed to accommodate the chip disposed thereon, the chip having a hydrophilic surface ***which faces said planar surface*** when the chip is disposed on the substrate ....

It is hard to imagine how the foregoing language, including the preamble and the recitation that the chip in the hydrophilic regions "faces said planar surface..." could be construed to mean that the recited hydrophobic regions could be

"raised" as in Rava et al. The Examiner's argument that the recitation that the hydrophobic regions are "part of said planar surface" does not exclude a construction that these regions are "raised" (see Answer page 5, last few lines), is only possible if one ignores the language in the remaining portions of the claim.

Accordingly, because neither Rava et al. nor Shivashankar et al. disclose planar hydrophobic regions, the rejection should be reversed.

Respectfully Submitted,

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